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86 Chambers Street

New York, New York 10007

July 22, 2008

By Fax

Hon. James C. Francis IV
United States Magistrate Judge
United States Courthouse,
500 Pearl Street, Room 1960
New York, New York 10007

MEMO ENDORSED

Re: Sheldon Johnson v. Astrue
08 Civ. 4375 (RJH) (JCF)

Dear Judge Francis:

This Office represents the Commissioner of Social Security, defendant in the above-captioned action. We write respectfully to request an extension of defendant's time to answer or move with regard to the complaint.

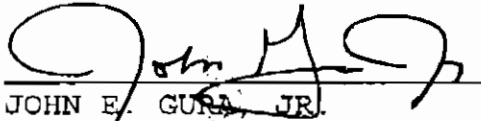
The answer is due on July 29, 2008. Because we have not yet received the administrative record in this case, we requested plaintiff's consent to a 60-day adjournment of this date and forwarded a proposed stipulation to that effect. Plaintiff did not respond to our written request for his consent to our request. Without a copy of the certified administrative record, this office cannot assess the merits of the action nor answer plaintiff's complaint. See 42 U.S.C. § 405(g). In view of the foregoing, we respectfully request that defendant's time to answer or move be extended sixty days, to September 29, 2008. No previous extensions have been sought in this case.

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

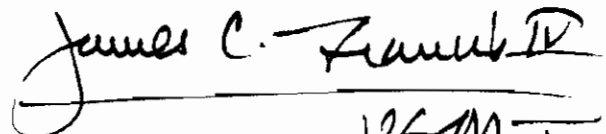
By:



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cc: Sheldon Johnson
(By Mail)

7/24/08
Application granted.
SO ORDERED.

James C. Francis IV

USMJ